

**SUMMARY OF THE
NELAC BOARD OF DIRECTORS/CHAIRS MEETING
JULY 09, 2002**

The Board of Directors of the National Environmental Laboratory Accreditation Conference (NELAC) held a joint meeting with the committee chairpersons on July 9, 2002, at 9:30 a.m. Eastern Daylight Time (EDT), as part of the Eighth Annual NELAC Meeting in Tampa, Florida. The meeting was lead by Chair Ms. Silky Labie of the Florida Department of Environmental Protection. The agenda for this meeting is shown in Attachment A, action items from the last meeting are shown in Attachment B, incomplete action items from past meetings are shown in Attachment C, and a list of participants is shown in Attachment D. *The purpose of the meeting was to address items of importance as identified in the agenda.*

INTRODUCTION

Ms. Labie called the meeting to order and took attendance.

APPROVAL OF MINUTES

The minutes from the June 13, 2002, teleconference were reviewed and approved as amended. Ms. Labie reviewed the action items, which have been updated to their current status.

AARB REPORT

Ms. Judy Duncan, Chair of the Accrediting Authority Review Board (AARB) summarized the annual report to be presented to the Conference. Two minor changes have been recommended under General Operations: the word “audit” will be replaced with “review” in the AARB Charter, and the new member is Daniel Hickman of the Oregon Department of Environmental Quality. It had been recommended in 2000 that AARB review conflicts of interest issues for NELAP Evaluation teams and Accrediting Authorities. It was thereafter determined that conflicts of interest were addressed for Accrediting Authorities and the laboratories that they audit, but not for NELAP staff and the Accrediting Authorities that they audit. AARB therefore recommended revision to language in Chapter 6 to address this issue. A previous recommendation that all NELAP SOPs and Documents be kept in a central location, Las Vegas, NV, resulted in the agreement that an on-site audit of these files will be conducted in the near future. AARB has recommended that timelines found in Chapter 6 be reviewed for possible revisions. Full details of Ms. Duncan’s report may be found in Attachment E.

VOTING ITEMS

Ms. Jeanne Hankins recommended that the committee chairs decide prior to or during Friday’s voting session whether there is sufficient support for any proposed voting item(s). If the proposed voting item(s) are not widely supported, she recommended withdrawing the motion and referring it back to the committee for further revisions.

COMMITTEE UPDATES

No chairs had any significant changes to the published agenda to report.

RECEPTION

Ms. Labie announced that the Board will again host its annual reception, to which all committee chairs and members, ELAB members, AARB members, EPA evaluators, and past NELAC chairs are invited.

PROCEDURAL BRIEFING LOGISTICS FOR STANDARDS

Rob Robinson introduced the support staff members from Anteon and reviewed the responsibilities for Anteon and the committee chairs for finalizing the changes to the proposed changes and the voting.

CONFERENCE UPDATE

Ms. Labie reminded the Board about the NELAC banquet to be held Wednesday evening.

OLD BUSINESS

No old business was presented.

NEW BUSINESS

The Board received a letter from Henry Longest requesting input and assistance on the criteria document for proficiency test providers. This letter stated that in 1998, EPA funded the National Institute of Standards and Technology (NIST) to develop a program to accredit the proficiency test providers for drinking water and waste water laboratories. Ms. Barbara Burmeister, Chair of the Proficiency Testing Committee, noted that NIST accredits to the EPA criteria document, not the NELAC standards. Ms. Labie requested that Ms. Burmeister present this letter to the Proficiency Testing Committee for review and recommendations.

It was noted with great appreciation for a job well done that the Membership and Outreach Committee created the poster for the Opening Plenary.

NEXT TELECONFERENCE

The next teleconference for the Board of Directors is scheduled for Thursday, August 8, 2002, at 1:30 p.m., EDT.

ADJOURNMENT

There being no further business, the meeting was adjourned

**NELAC BOARD OF DIRECTORS
AGENDA
July 09, 2002
Tampa, Florida**

1. Approval of Minutes of June 13, 2002, Meeting – *Silky Labie*
2. AARB Report – *Judy Duncan*
3. Voting Items – *Jeanne Hankins*
4. Committee Updates – *Chairs*
5. Reception – *Silky Labie*
6. Procedural Briefing Logistics for Standards – *Anteon*
7. Conference Update – *Silky Labie*
8. Old Business
9. New Business

**NEW ACTION ITEMS
NELAC BOARD OF DIRECTORS/CHAIRS
JULY 09, 2002**

Item No.	Action	Status
1	No action items were defined.	

**ACTION ITEMS FROM PREVIOUS MEETINGS
NELAC BOARD OF DIRECTORS
JULY 09, 2002**

No.	DATE OF MEETING	ACTION	STATUS
1.	06/13/02	Ms. Labie will contact the organizations recommended by the members to serve on the Small Organizations <i>Ad Hoc</i> Committee: WEF, AWWA, and the Rural Clean Waters Program.	In progress
2.	06/13/02	Ms. Labie will have the letter to Mr. Longest ready to circulate to the Board for comments and review by next week.	Complete
3.	06/13/02	Ms. Shields will check on the status of the letter from ECOS to EPA, and to whom it should be addressed, and will follow up with Carol Batterton.	Complete
4.	06/13/02	Ms. Labie will have the letter to Mr. Hammerschmidt ready to circulate the to the Board for comments and review by next week.	Complete
5.	05/09/02	Mr. Tom Maloney will contact Bart Simmons, Chair of the Field Activities Committee, for possible recommendations of representatives of small organizations to serve on the Small Organizations <i>Ad Hoc</i> Committee.	On going
6.	05/09/02	Ms. Labie requested that members forward any recommendations from other geographic areas for representatives of small organizations to her via e-mail. Ms. Labie will begin forming this committee upon receipt of recommended names to contact.	On going
7.	04/11/02	Mr. Friedman will obtain the exact wording of the motion that was made and approved by the National Water Quality Monitoring Council on April 3, 2002, and forward this to Ms. Hankins.	Complete
8.	04/11/02	Drs. Kimsey and Jackson will develop an outline of the presentation for NELAC 8.	Complete

**LIST OF PARTICIPANTS
BOARD OF DIRECTORS MEETING
JULY 09, 2002**

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ACCREDITING AUTHORITY REVIEW BOARD (AARB)

Annual Report and Functions

July 2002

ACCREDITING AUTHORITY REVIEW BOARD (AARB)
Annual Report and Functions

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Introduction to the Report of the Accrediting Authority Review Board

At the beginning of the third year of the Accrediting Authority Review Board (AARB) a list of Future Plans of Action was developed for use in guiding AARB activities. This list included the following.

1. Review NELAC standards to see where AARB was mentioned and compare to the Charter.
2. Audit NELAP performance for the two-year Accrediting Authority (AA) renewal cycle.
3. Review Standard Operating Procedures (SOPs) developed for and by NELAP.
4. Track progress of NELAP development of a records retention policy and its implementation.
5. Audit the NELAP process for approval of any new AAs.
6. Review time frames for AA approval and renewals.
7. Handle any appeals to the AARB.

A review of AARB activities will show that all seven items were addressed.

In preparing this AARB Annual Report, we have prepared consolidated listings of Policies and Procedures adopted by the AARB (Attachment A) and a summary of past AARB recommendations to the NELAP Director and NELAC Board of Directors (Attachment B).

AARB Annual Report and Functions

A. AARB General Operations

Revision of the Charter

Prior to reviewing the AARB Charter, AARB reviewed NELAC standards to determine if changes to the standards necessitated changes to the Charter and determined that none did. The AARB recommended to the NELAP Director that the language in the Section 3, Duties and Scope of Activities, be revised to reflect that the AARB conducts annual “review” or the NELAP process for recognizing AAs rather than “audits” of this process. The revised language of the Charter is included in this report as Attachment C.

Business Meetings

The AARB met at the NELAC 7 and 7i meetings and conducted a number of conference call meetings. As included in the AARB Policy and Procedure for Business Meetings, the NELAP Director was consulted on recommended changes to the Charter and on other items of business during the year.

AARB Annual Meeting and Election of Chair and Secretary

At present, the AARB members and officers include the following:

- George Mills, Term end 2002
- Judy Duncan, Chair, Term end 2003
- Carol Madding, Secretary, Term end 2004
- Carl Kircher, Term end 2005
- Dan Hickman, Term end 2006

Document Control System for AARB

The Document Control Policy and Procedure for AARB was revised to reflect that the permanent files for AARB would be maintained with the permanent files for NELAP.

Development of AARB Quality System

After seeking input from attendees at the NELAC 7i AARB session, Dr. Carl Kircher of the AARB prepared a draft AARB Quality System based upon ISO 61. This draft system has been reviewed by AARB and will be presented for discussion and input at the AARB session of the NELAC 8 meeting.

Follow-up on Previous AARB Recommendations

In the AARB 2000 Annual Report a recommendation was made that the NELAP program should document that there were no conflict of interest issues between individuals chosen to serve on a NELAP Evaluation Team and the Accrediting Authority that was to be reviewed. In order to facilitate implementation of this recommendation, AARB reviewed Chapter 6 and determined that conflicts of interest were addressed for AAs and the laboratories that they audit but were not addressed for NELAP staff and the AAs that they audit. AARB recommended the following language to the Chapter 6, Accrediting Authority, Committee to address this issue:

6.9.1 NELAP Evaluation Team

...
(e) The NELAP evaluation team shall:

- ...
(3) Be free from conflict of interest that would compromise acting in impartial nondiscriminatory manners.
(4) ~~(3)~~ All experience required...

B. Appeals

No NELAP decisions were appealed to the AARB during the time period covered by this report.

C. Monitoring of NELAP

AARB Assessment of NELAP Accrediting Authority Recognition Process

The On-Site Assessment Report for the Louisiana Department of Environmental Quality was reviewed by AARB using the procedure established for earlier reviews (see Attachment A). The AARB found that there was sufficient documentation to perform this review and that the documentation was comparable to previous On-Site Assessment documentation. This NELAP assessment held to the established time frames for completion somewhat better than past initial assessments. As was the case in past reviews, the AARB found that the narrative that accompanies the check sheet for the On-Site Assessment should be more descriptive in order to facilitate a determination that On-Site Assessments are conducted to the same level of detail. For example, rather than simply stating that a check sheet item was met, the Assessment Team should describe how the item was met or cite the AA reference for where it was met (i.e., SOP 24, Section 1, Paragraph 2).

AARB Review of NELAP Requests to Extend Time for Accrediting Authority Renewal Process

This was an interim year for Accrediting Authorities to be reevaluated. Upon approval of the AARB, extensions of the renewal process may be granted. NELAP requested extensions of the time periods for completion of the renewal process for eight EPA Regions that conducted these reviews. Since this was the first round of renewals and the process was new to all participants, AARB adopted a liberal policy for granting each of these extensions. However, members of the AARB felt that we were put in a rubber stamp position and, while the overall problem was apparent, we did not always have sufficient criteria for granting each request individually. The AARB suggests that the role of AARB in granting time extensions be reviewed to determine if this is the appropriate body or if this function should rest with the NELAP Director.

AARB Assessment of NELAP Accrediting Authority Renewal Process

AARB was unable to review the NELAP Accrediting Authority Renewal Process because extensions were granted and the process was not completed in time for files to be consolidated and transmitted to AARB with sufficient time to accomplish this review before NELAC 8.

Review of NELAP SOPs and Documents

One of the AARB findings in the first report was that documentation was difficult to find since files were kept in the EPA Regions. The AARB recommended that all documentation be forwarded and kept in one place and Las Vegas, NV was chosen by NELAP. The AARB and NELAP Director discussed the need for an AARB on-site audit of NELAP files and the problem with funding for such an activity. Near the end of the year the NELAP Director advised AARB that this funding would be available. AARB will schedule an audit when the NELAP Director advises that consolidation of files has been completed.

No new NELAP SOPs or document formats were presented to AARB for review.

AARB Recommendation Concerning Time Lines for Accrediting Authority Review and Renewal Processes

The AARB has observed that there is a recurring problem with NELAP completing Accrediting Authority reviews and renewals within the time lines specified by the NELAC standards. This problem may be due in part to first time implementation of these processes. However, AARB believes that the timelines may not be realistic for the NELAP process, which involves Regional staff as reviewers. This comment is not intended as a criticism of that process, but merely as an acknowledgement that Regional staff may have many other duties in addition to NELAP reviews. AARB has recommended to the NELAP Director that timelines for AA review and renewal review be revisited and that recommendations regarding more realistic timelines be sought from AA states, EPA Regional staff involved in NELAP reviews and the ELAB. AARB believes that the NELAP process would have more integrity if timelines were realistic and could then be expected to be more rigidly observed.

ATTACHMENT A

ACCREDITING AUTHORITY REVIEW BOARD (AARB)

Policies and Procedures

June 2002

A. AARB General Operations

Revision of Charter

1. Review and propose changes due to changes in Chapter 1 of the NELAC Standards
2. Review and propose changes due to recommendations from the NELAP Director
3. Review proposed changes from other interested parties
4. Recommend changes, finalize and prepare for NELAP Director's approval

Business meetings

1. Annual and Interim
2. Conference calling
3. Meet with the NELAP Director at least twice for direction and updates
 - a. Seek from Director, NELAC standard changes which may affect AARB
 - b. Future changes in AARB duties
 - c. Open meetings schedule
 - d. Role of AARB communicated to NELAC by Director

AARB Annual meeting election of Chair and Secretary

As of May 2002:

George Mills, Term end 2002
Judy Duncan, Chair, Term end 2003
Carol Madding Secretary, Term end 2004
Carl Kirchner, Term end 2005
Dan Hickman, Term end 2006

Document control system for the AARB Documents

1. Final document: Footers: AARB and title of document on left, Date Effective on right
2. Draft document: draft in title, revision date
3. Font: Times New Roman
4. The permanent files for the AARB shall be maintained with NELAP permanent files

B. Appeals

AARB Appeal Board Functions

1. When a review of an appealed NELAP decision is requested, this activity should take priority over any routine annual business except election of officers.

2. The groups who are interviewed during AARB review of an appeal should be asked for feedback on the process so that it can be continually improved.
- 3.

Standard Operating Procedure for AARB Investigation of Appealed NELAP Decisions (revised January 13, 2001)

The Accrediting Authority Review Board is charged by charter and by NELAC standards with reviewing appeals of NELAP decisions. When the NELAP Director informs the AARB that an Accrediting Authority has appealed a decision, the AARB will have 90 days to make a recommendation to the NELAP Director. The following process will be followed by the AARB to investigate the appeal.

1. The Chair of the AARB will request that the NELAP Director provide copies of all pertinent correspondence to the members of the AARB. This material will be requested in electronic format, if possible.
2. The AARB will meet by conference call to review the written record and prepare separate lists of questions for both the NELAP Director and the appealing Accrediting Authority. These questions may include requests for additional written documentation.
3. When the lists of questions are finalized, the AARB Chair will transmit the lists to both the NELAP Director and the appealing Accrediting Authority by e-mail along with proposed dates for conference calls with the AARB.
4. The AARB will meet by conference call with the NELAP Director and the appealing Accrediting Authority. These conference calls will be held separately to afford each party the opportunity to discuss their position openly with the AARB. Both the NELAP Director and the appealing Accrediting Authority may involve whatever staff members they believe may be necessary to fully represent their position to the AARB. During these calls additional documentation may be requested.
5. The AARB will meet by conference call to review the results of the initial investigation and decide upon next steps that may include:
 - Further review of additional documentation and/or additional conference calls that may be separate with each party or three-way with the AARB and both parties
 - Interviews with Assessment Team members who were involved in inspections of the appealing Accrediting Authority
 - Visits to the appealing Accrediting Authority or the NELAP Director for more in-depth review of the issues under appeal
 - Suggestions to both parties for an informal resolution to the appeal, or
 - A written recommendation to the NELAP Director for resolution of the appeal.

C. Monitoring NELAP

Review of a portion of On-site Assessment Reports of Accrediting Authorities

In order to ascertain if Accrediting Authorities were reviewed in a consistent manner, the AARB will review some or all of the reports generated by the review team. The following process will be used. The AARB shall request a list of AAs that were recognized in the previous year (since the last review). The list should include the names of the AAs requesting accreditation, the fields

of testing for which they wish to be recognized and the names of the team members who reviewed the AAs application and performed the on-site visit.

1. The Chair of the AARB shall request that the NELAP Director send copies of some or all of the final summary reports of the reviews to the Board.
2. Using the checklist, each member of the Board shall read the reports and note any inconsistencies among them.
3. The Board may request copies of the complete audit reports if it is deemed necessary.
4. If clarification or more information about an assessment is necessary, the AARB may choose to interview AA personnel or assessor team members. The interview could be done by conference call or in person. The AARB will decide whom they want to interview and one member of the team will contact the person(s) to arrange for a convenient time for all to talk.

Review of NELAP SOPs and Documents

To ensure that activities are in conformance with NELAC policies and that these policies are applied consistently and will continue to be applied consistently, the AARB has requested that NELAP develop SOPs to describe its administrative tasks. As they are developed the AARB will review these documents both for content and comprehensiveness.

Review of NELAP Internal Audit

In the event that NELAP does internal audits of its program the AARB may review the procedures and practices which are used to conduct the internal audit. The in-house systems audit (by NELAP) would consist of reviewing the various aspects of the assessment and recognition activities. Checklists, which delineate the critical aspects of each area may be used during an internal audit and can serve to document all observations. AARB would review the QA plan and procedures used by NELAP when conducting an internal audit. At a minimum, the AARB suggests that the following topics be evaluated during the internal audit cycle:

Review Dates

- Documentation of dates of internal reviews

Quality System Plan:

- Approved/reviewed/present
- Procedures for document control
- Documentation of Procedures

Quality Control review:

- Turn around times
- Review of team reports
- Review of questions from teams
- Tracking of annual reviews and semiannual audits
- Assessment report Receipt and Storage
- Review Preparation
- Final recognition/denial/revocation letters/communications

Audits:

- External
- Tracking
- Checklists used

Procedures used

Complaints:

Review of complaints

Review of appeals or other actions

Training:

Assessor team training documentation review

National program training reviews

Equipment and Resources:

Personnel resources

Budget resources

Report to management.

Future:

Future program needs and perceived impacts.

ATTACHMENT B

SUMMARY OF AARB RECOMMENDATIONS

Recommendations from 2000

NELAP Accrediting Process

1. NELAP should develop a Standard Operating Procedure (SOP) or SOPs to be used by Assessment Teams for document preparation and report format for Technical Assessments, Summary Reports and Final Recommendations regarding recognition of Accrediting Authorities.
2. NELAP should develop a record retention policy and procedure. Include how records can be retrieved and located from regions as well.
3. The AARB would like to review the NELAP formal record of decisions with the next review. The final record of decision should be included with the Summary Report Package.
4. NELAP should document the Conflict of Interest issues between the Assessment Team and the Accrediting Authority have been formally addressed.
5. Based on experience, NELAP should suggest timeline changes which will more closely reflect the actual time it will take to assess an Accrediting Authority under the NELAC standards.

Revocation Procedure

When an action to revoke an Accrediting Authority's (AA) recognition is being either considered or is imminent it is suggested as a matter of procedure that the NELAP Director send a notice of intent to the AA with a short time (ten working days) to respond and resolve any misunderstandings.

Recommendations from 2001

AARB Comments NELAP'S 2001 Documents

The NELAP Director asked the AARB to review several communications and documents as described below.

1. The AARB reviewed correspondence, which indicates that as a matter of procedure the NELAP Director is notifying AAs of possible revocation issues and asking for clarification and resolution prior to any revocation action.
2. The AARB reviewed the Cover letter for two year renewal of NELAP Accrediting Authorities, Standard Operating Procedure, Two Year Renewal of NELAP Accrediting Authorities (February 12, 2001), Application for two year renewal and Checklist to Determine Accrediting Authority Compliance revision 2, February 2001. The AARB was pleased to review these documents especially the first of SOPs. We found that the documents were more than adequate to get the renewal cycle started.

Comments: AARB advises that the 2000 recommendations it made be incorporated into the

Standard Operating Procedure, Two Year Renewal of NELAP Accrediting Authorities (February 12, 2001), before the renewal cycle is substantially completed.

- a) Specify a list of documents/files to be created and where and in what form (i.e. hard copy or electronic file) they are to be kept (the Record).
 - b) Specify what the Record should contain: NELAP renewal application checklist completed by AA; Documentation that checklist has been reviewed and cross-checked by the AA assessment team (i.e. how/where is the requirement met); Copies of AA internal audits; either copies or listings of the accredited laboratory records reviewed; copies of all correspondence related to Corrective Action, Responses/ Reports and a copy of the final record of determination to grant or deny recognition.
 - c) Outline what should be in a final report to the Director and what the sections should contain (create report format).
 - d) Suggest adding a column on the checklist for the NELAP Assessment team to document its review.
 - e) Section C, 2, (7). AARB suggests that the wording be changed .../- Select a representative sample of files to review to reflect the work of all assessors. We recommend this change to insure that both small AAs and large AAs are reviewed in an equitable fashion.
 - f) The record should also include requested changes to the fields of testing an AA is recognized.
 - g) AARB is concerned that the timeline may not be adequate for renewal reviews to occur.
- For the NELAP Director: Specify either in this SOP or another where the record of final determination is kept and what will it contain.

ATTACHMENT C

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY National Environmental Laboratory Accreditation Program (NELAP) ACCREDITING AUTHORITY REVIEW BOARD CHARTER

1. PURPOSE AND AUTHORITY. This Charter describes the roles and responsibilities of the NELAP Accreditation Authority Review Board (AARB). The Charter shall be reviewed each year at the NELAC Annual Meeting and revised as necessary by EPA.
2. OBJECTIVES. The AARB is established to provide advice to the NELAP Director, to perform an independent review of the EPA/NELAP's Accrediting Authority recognition process for consistent and appropriate application of the NELAC standards, and to serve as a review board where NELAP recognition is denied or revoked.
3. DUTIES AND SCOPE OF ACTIVITIES. The AARB is an advisory board that reports to the NELAP Director. In all cases, the Director makes the final decision. The AARB has responsibilities to:
 - ❖ monitor NELAP to assure that EPA is following the NELAC standards for recognizing accrediting authorities;
 - ❖ serve as a review board for accrediting authorities that have been denied NELAP recognition or have had such recognition revoked, providing advice to the NELAP Director;
 - ❖ report on its activities to the NELAC Board of Directors at each annual meeting;
 - ❖ conduct an annual ~~audit~~ review of the NELAP process for recognizing accrediting authorities in accordance with the appropriate NELAC standards,
 - reporting its findings at the general opening session of each NELAC annual meeting, and
 - providing the annual ~~audit~~ review for posting on the NELAC web site; and
 - ❖ provide advice on issues referred by the NELAP Director, which may include matters raised by entities other than the accrediting authorities.
4. COMPOSITION. The AARB is composed of five voting members and one non-voting member. Each member shall be appointed for a five-year term.
 - ❖ The non-voting member shall be a representative of the USEPA and appointed by the NELAP Director. The appointment should be rotated among the EPA Regions and EPA Headquarters.
 - ❖ The five voting members shall consist of one federal accrediting authority official and four members from either states, the Territories, the Possessions of the United States or the District of Columbia, accrediting authority officials, of which at least three must be from NELAP-recognized primary accrediting authorities.
 - The state accrediting authority officials should be from different EPA Regions.
 - The appointments must be made in such a manner that the correct mix of membership is maintained at all times. Any AARB member appointed prior to July 1, 1999 will remain an AARB member even though the correct mix of membership may not be attained until July 1, 2004.

- ❖ Appointments to the AARB are made by the NELAP Director after consultation with the NELAC Board of Directors. The Director will solicit nominees from the NELAC stakeholders and present them to Board of Directors. Nominations are to be submitted to the NELAP Director three months prior to the NELAC annual meeting.
 - ❖ Voting members of the AARB shall not be NELAP staff, on the NELAC Board of Directors or a member of a NELAC standing committee. The AARB annually selects one of its members to serve as its chair. The AARB may establish subcommittees as it finds necessary to carry out its responsibilities. Such subcommittees will report back to the AARB.
5. MEETINGS. AARB will meet at least two times in person during the year at the NELAC annual meeting and at the interim meeting. Other meetings shall be held as needed.